

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51489 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- HABIBPUR District- Bhagalpur

Moina @ Moina Khatoon wife of Late Md. Rabbani Village- Shahjangi Ps-
Habibpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 302/34 of
the Indian Penal Code, registered in connection with Habibpur
P.S. Case No. 75 of 2024.

3. As per prosecution case, the brother of the deceased
namely, Md. Lal badly assaulted his brother who died in course
of treatment, the reason behind the occurrence was that some
quarrel took place between two brothers for taking water. The
allegation against the petitioner is that she was instigating co-
accused Md. Lal who brutally assaulted the deceased leading to
his death.

4. The learned counsel for the petitioner has submitted



that he has been falsely implicated in this case and has committed no offence. He submitted that the deceased is the son of the petitioner. There is no specific overt act of assault against the petitioner rather the specific allegation against co-accused Md. Lal who brutally assaulted his brother (deceased) leading to his death. Petitioner is a person of clean antecedent and she is in custody since 02.05.2024.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case and especially the fact that the petitioner is the mother of the deceased, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur in connection with Habibpur P.S. Case No. 75 of 2024, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

(Nawneet Kumar Pandey, J)

Arish/-

U		T	
---	--	---	--

